

SENATE BILL 4236

By Jackson

AN ACT to amend Tennessee Code Annotated, Title 66,
Chapter 9, relative to restrictive covenants.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 66, Chapter 9, Part 4, is amended by
adding the following new section:

Section 66-9-404.

(a) A restrictive covenant applicable to residential property contained in a deed of trust or other instrument evidencing ownership of real property is contrary to the public policy of this state and therefore void and unenforceable if it has the effect of restricting or prohibiting the sale or transfer of such property in a manner that discriminates on the basis of age, gender, race, religion or national origin.

(b) The owner of property to which any such covenant is applicable may have the covenant removed from the deed of trust or other such instrument or ownership by filing a corrected deed or instrument with the register of deeds along with an affidavit certifying that the corrected deed or instrument is a true and exact copy of the original except the void restrictive covenant has been omitted.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring
it.